

A. GOMEZ

26

1
2 have, he very depressed. But he's not
3 psychiatric problem that he do something
4 wrong in my house or me or my kids.

5 MS. SHERVEN: Move to strike
6 the portion that's nonresponsive.

7 Q. How long was he under the
8 psychiatric care during that time period?

9 A. When he retired out of his job
10 that's what happened.

11 Q. When was it that he retired, if
12 you can approximate when that was?

13 A. 2000, 2001, I'm not sure. I no
14 remember it.

15 Q. Was he diagnosed with
16 depression?

17 A. I don't really know. I don't
18 really know.

19 Q. But he was seeing a doctor?

20 A. Yes, but I don't really know.

21 Q. Was he hospitalize at anytime
22 for depression or any other type of
23 psychiatric illness ?

24 A. A long time ago, about four
25 years. Not now, he's fine.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A. GOMEZ

27

Q. How long was he hospitalized?

A. I think a couple of days, one week, something like that.

Q. Did he receive any medication during that time period?

A. Yeah, but I don't know anything because he's fine.

MS. VOLPER: Just what you remember.

A. That's what I say, he's fine. He doing everything by his own, you know. He's not the type he need help that I have to give you something. He do everything by himself. That's why I don't have a lot of information.

Q. To your knowledge is he currently seeing a psychiatrist or any type of mental health provider; is he right now seeing any type of psychiatrist or any mental health proccessional?

A. He see one time a month. That's it.

Q. Was he seeing this doctor before October 17, 2006, or did he start

A. GOMEZ

28

seeing someone after that?

A. I don't understand what you're saying.

Q. You testified that your husband sees someone, a mental health provider once a month, right?

A. Yes, but he doesn't see -- but that I say is, he see the doctor, but it's not because he's crazy or something like that.

Q. Right.

MS. VOLPER: Do you understand the difference between a mental health professional, psychologist, and a primary care physician, a heart doctor.

THE WITNESS: Oh, he sees everything before the 17th. He had to go a lot of different doctors now.

MS. VOLPER: You testified that once a month he sees a mental health professional. Is that what you meant?

A. (Witness nods.)

A. GOMEZ

29

Q. That's a, yes?

A. Yes.

Q. She can't take down sounds, so you have to answer every question out loud, okay.

Was he seeing this mental health provider before October 17, 2006, or is this something that he started doing again after October 17?

A. I'm not really sure about that, because I'm working all day. I think, yes, but I'm not sure he continue or he stopped. I'm not sure.

Q. Has your husband ever been diagnosed as an alcoholic or as having a problem with alcohol?

A. No. He's been -- nobody. Let me say something about my husband.

MS. VOLPER: Hold on. You have to wait until she asks you a question and then you answer.

THE WITNESS: Okay.

Q. Do you know Detective Quinoy?

A. Oh, yes.

A. GOMEZ

30

Q. How long have you known
Detective Quinoy?

A. At around fifteen, twenty
years.

Q. And you knew him because you
lived in the same building?

A. No. No. He's my friend. I
know her wife, her parents, her wife's
parents. I know very well all the family.

Q. Where did you meet Detective
Quinoy and his family?

A. A long time ago.

Q. Was it when you were living in
the same apartment building?

A. No. No. No. No.

Q. Or before that?

A. No, no, before, before.

Q. Did you meet him first or his
wife?

A. Both. I know him first.

Q. Her?

A. I know Detective Quinoy first
then her wife.

Q. How would you describe your

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A. GOMEZ

31

relationship with Detective Quinoy and his wife?

A. Good.

Q. You spent time together socially?

A. Oh, yes. He went with husband birthday party. He went in my house a couple of times. I went in her house. I cook for everybody.

Q. You were friends?

A. Oh, yes, I went in her wife's sister's birthday, friends. Her son's party, the first year the Michael's party I went there.

Q. And your daughters spent time with him and his wife as well?

A. Yes. Yes.

Q. Did there come a point in time before October 17, 2006, that your relationship with Detective Quinoy and his wife changed?

A. I not say changed. They move. I not say you the same as soon as he taking her job, he change a little. Because I know

A. GOMEZ

32

Detective Quinoy when he driving taxi in Tarrytown, Marcotti Taxi.

I know Detective Quinoy when he was little, because I have a couple of years of difference. And I know her father, her mother when they have a business on Bizmal (ph) Avenue. I was there eating food. And I have a good relation, normal relation. When they move to the building, I have a very close relation.

As soon as he take the position about seven or eight years, before he working in the Coke-a-Cola, he started to change a little world. And I continued friends, but you know, they do what they have to do, and I do what I have to do.

And they started a lot of problem between Quinoy and her wife, because he cheated a lot, and they started a lot of problems. And I going a little separate for the problem that they have now because I have a problem with Quinoy, or Marina I no have a problem. They have a problem.

They separate for -- he moved

A. GOMEZ

33

1 to Washington Street in the building. I
2 don't know how long maybe one year they
3 separate. He come back to the building.
4 And you know, when you have a personal
5 problem like that, you be away with the
6 friends. And they have a lot of problems
7 because he cheated a lot with the teenagers.
8

9 Q. Approximately, how long ago was
10 that that you believe that he cheated?

11 A. Oh, a long time because I'm
12 living in the town for years, and the people
13 made the comments. And before that, he
14 married with Marina, he going out with my
15 friend's Umar (ph) daughter -- the last name
16 is Umar, and he going out with her daughter
17 ready to marry, and he cheated her daughter
18 for Marina, and she married with Marina.
19 You know, this something coming for years.
20 It's nothing new for me.

21 Q. You mentioned that he cheated
22 with a teenager; is that correct?

23 A. Well, I feeling my daughter is
24 no teenager. My daughter is now a woman.

25 Q. You're referring to Haydee,

A. GOMEZ

34

correct?

A. Yes.

Q. How old is Haydee?

A. Well, she's now twenty-two, but when this started, the flirting and la-la-la, she's very young. I say around seventeen, eighteen. Not now because this problem not coming to now.

Q. Okay. Just so we're clear, is it your testimony that your daughter Haydee and Detective Quinoy had been flirting since the time she had been seventeen or eighteen years old?

A. Yes.

Q. Did that every concern you?

A. Oh, yes. One day she wake up. I say seventeen, because he policeman not detective but at the time. He come to building around two o'clock in the morning, okay. And my daughter get out with the apartment, and I looking in the window, and I saw the car, because you know the police have the car with the number they usually driving. And I saw her car.

A. GOMEZ

35

1 When my daughter coming back
2 around 3:30, 4:00 o'clock in the morning, I
3 confront my daughter, and I say, what are
4 you doing.
5

6 Oh, no, no. He coming to talk
7 to me, something. I say you know he's
8 married and the wife living here, and he
9 have a lot of problem with Marena about this
10 situation.

11 No. No. No. He's only my
12 friend. He's only my friend. I say, you
13 better stop, okay. So, at the time I not
14 put a lot of attention because he's very
15 young, because he know me. He know my
16 family. I don't think so he do that, to me
17 something like that.

18 Q. Did there come a point in time
19 when you thought that there was something
20 more than just friends between Detective
21 Quinoy and Haydee?

22 A. Yes.

23 Q. When was that?

24 A. I don't know exactly when is
25 that because she not tell me. She know that

A. GOMEZ

36

I not approve something like that, but I remember last -- let me see. Last year around one and a half -- let me think a second. Around last September.

Q. September 2006?

A. Yes. 2006 or 2005, I'm not sure. She went in my friend's house in the Philip Manor in the Tarrytown in Sleepy Hollow. She went there because she have friends, and she stayed for a couple of days in there. And I went to pick her up in the morning and bring to her job.

And she made a comment Quinoy was there and talking in the park. And I told my daughter, be careful because I don't want any problems. I know the family. Oh, no, no, no. He's my friend. He's my friend. And she laughing, well, he kiss me. He kiss me. He kiss you? And I'm very sad

I say, you know, I no want to listen anything about that, because I think it happened and that's it. And I said Haydee, I don't want to listen anything about that, that he kiss you or something

A. GOMEZ

37

happened between you and him.

And I bring Haydee to the job,
and I'm not talking anything about that.
I'm not putting emphasis on something
becoming or something like that. I think at
the time she told me at the time, I don't
think something sure happened. I don't know
because she not give me the information
about that.

Q. But she told you that he kissed
her?

A. Oh, yes. Oh, yes. They went
to the park. They have a park in -- not the
beach part, the other part. They play
baseball, something like that. That's when
this happened, because I have a very close
with all my three daughter.

Q. So, she confided in you about
this, about him kissing her.

A. Yes, she told me, because she
told me everything but when she see I'm not
happy. I not approve. She not talk too
much about this situation.

Q. Do you remember if this was

A. GOMEZ

38

last September or more than a year ago?

A. Let me see, last September, no, last year, 2005. Because this December is 2006, right?

MS. VOLPER: Yes.

A. 2005, this happened in 2005.

Q. After Haydee told you that she had -- that Detective Quinoy had kissed her, did you do anything or did you talk to her more or talk to him or talk to anyone about that?

A. I saw Haydee talking with him a lot of times in the parking lot, but I not, you know, the position that he have I think he respect more the friends.

He's married. My daughter's not married, and you need to understand when the kids are young, teenager. What's it like? Oh, look it, he talk to me, and he's a Detective. He's a policeman. And she told me that he very very -- he told me too the day that he arrest me, that they very good friends, and they do a lot of favors for Haydee, and they take a lot of tickets.

A. GOMEZ

39

MS. VOLPER: You mean traffic tickets?

THE WITNESS: Well, you have to ask him, because I don't know. That's what he told me. He take a lot of tickets to Haydee, and he's very friends with Haydee.

A. And I found in my house one day a set of keys. And I ask all my three daughters what keys is that. And Haydee told me, oh, this is Jose's keys.

I said what keys? And they have a business in North Broadway now in the Sleepy Hollow, and she have the keys because Jose ask Haydee too many time to help for something about the business, and he want to Haydee to work with him.

And I told Haydee when she told me, oh, Jose wanted I work with him. I say, listen, I think it's better for me that you looking on another job, because I don't want to feeling something happen between you and Jose.

Oh, no, no, no, no, ma, no, no,

A. GOMEZ

40

1
2 no. I help him a lot, and he tried to buy a
3 computer. And he told me you use the
4 computer. You want to take it home. I
5 think the laptop or something like that.
6 Everything so sweet, so nice. I say,
7 Haydee, be careful and get out of the
8 situation, and she have the keys.

9 When everything happened
10 October 17, I'm come back to my house and
11 I'm looking for the keys and I told Haydee,
12 I keep it. And she say he called Jenny.
13 Jenny is Haydee's best friend. He called
14 Jenny, and he told Jenny, they asked me for
15 the keys.

16 That the time my husband is in
17 jail, okay. And when he arrest Mario, I
18 have a conversation with Mario, and he told
19 me, Jose Quinoy say that he have a couple of
20 friends in the jails, and he had to be
21 careful. He told Mario.

22 When I listen about that, I
23 told Haydee what you want to do? And she
24 say, ma, I don't want more problem because I
25 keep the keys. I give it to Jenny, and

A. GOMEZ

41

1
2 Jenny give it to Jose, because I don't want
3 a problem something happen with my daddy
4 because I have the keys. And he think I
5 have the keys is because I want to do
6 something with him.

7 I say, well, everything coming
8 out because you have the keys. And she give
9 the keys to Jenny. And I asked Haydee, you
10 give back the keys to Jose, and she say,
11 yes, he coming with Zekus. That's another
12 Detective, Chuck Zekus, something like that.
13 He working with Jose. They coming together
14 with Jenny, and they take the keys.

15 Q. At any point in time, did you
16 tell your husband that you were worried
17 about Detective Quinoy's relationship with
18 your daughter?

19 A. No, never in my house I have
20 this conversation about that, never.

21 Q. Why not?

22 A. Because I say, again, when I
23 see Haydee talking with him, I think she's
24 feeling, oh, he's a detective. He's my
25 friend. So, I not feeling. Detective

A. GOMEZ

41

1
2 Jenny give it to Jose, because I don't want
3 a problem something happen with my daddy
4 because I have the keys. And he think I
5 have the keys is because I want to do
6 something with him.

7 I say, well, everything coming
8 out because you have the keys. And she give
9 the keys to Jenny. And I asked Haydee, you
10 give back the keys to Jose, and she say,
11 yes, he coming with Zekus. That's another
12 Detective, Chuck Zekus, something like that.
13 He working with Jose. They coming together
14 with Jenny, and they take the keys.

15 Q. At any point in time, did you
16 tell your husband that you were worried
17 about Detective Quinoy's relationship with
18 your daughter?

19 A. No, never in my house I have
20 this conversation about that, never.

21 Q. Why not?

22 A. Because I say, again, when I
23 see Haydee talking with him, I think she's
24 feeling, oh, he's a detective. He's my
25 friend. So, I not feeling. Detective

A. GOMEZ

42

Quinoy's married, know the family, know Haydee when she's eleven, twelve years old. They do something like that with my kids. I think he have more values about that.

Q. Do you think that there is more than just friendship between your daughter and Detective Quinoy?

A. I don't know. I don't know. I can't say yes or no. I say they kissing. They have a very close relation. The people saw in the bar one day, I think Campbell, Barry Campbell, the policeman. He saw one time Haydee and Jose in the bar. He told my husband, and my husband made it a comments about that.

Q. When did --

A. -- when everything happened.

Q. When did Lieutenant Campbell tell your husband that he saw Haydee and Detective Quinoy in a bar?

A. I think that the day that they got arrest.

Q. Not before that?

A. No. No. No.

A. GOMEZ

43

1
2 Q. Before October 17, 2006, did
3 you hear any rumors from people around the
4 town or friends that there was something
5 more than friendship between them?

6 A. Well, you know, in my country's
7 say you're the last person to know
8 everything that happened in your house.
9 Nobody come to say your daughter going out
10 with policeman or detective and married.
11 Nobody say anything to me. I'm not
12 listening anything about that.

13 Q. At anytime did your husband say
14 anything to you before October 17 that he
15 had heard rumors that there was something
16 more than friends between them?

17 A. No. It happened -- this
18 happened Tuesday. Weekend before somebody
19 call my husband and made a comment about
20 Jose Quinoy's talking about my daughter in
21 the locker room in the Police Department,
22 that he going out without with Haydee, and
23 Haydee pay for him. And why not I have to
24 did out.

25 He told me, and he say I can't

A. GOMEZ

44

1
2 believe this. I said, well, what I have to
3 do. She's twenty-two in this moment. He
4 not say anything. He say I know, I know, I
5 know.

6 And he received another phone
7 call Friday before the 17th. Don't ask me
8 who called, because I don't know. He
9 talking in English that's only what I know.
10 He talking in English. When he finished, he
11 told me do you see this? I say what
12 happened, Mario. Somebody called me again
13 and told me Jose Quinoy made comments about
14 Haydee. Haydee going out with him, and she
15 pay.

16 And he not take any attitude or
17 nothing. He made a comments. He say what I
18 have to say. I said, well, Mario, talk with
19 Haydee or something like that, but he never
20 told me talk with Jose Quinoy or nothing
21 like that. Nothing happened. This happened
22 Friday. He home Saturday, Sunday, Monday,
23 and nothing happened before he called Mario
24 to my house -- not my house, to Mario's cell
25 phone.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A. GOMEZ

45

Q. This first phone call that you mentioned where someone called your husband, do you know who that was?

A. No, because he have friends, and I'm the type of a person that I'm not putting a little attention on little things. He have a her friend. He made the comments. I'm not the type of the person nosey. I want to know everything.

He told me Haydee's twenty-two, and that's it. He made a little comments about what happened. Everything is over.

Q. But he said something to Haydee; is that what you're referring to --

A. Yeah. He say I can't believe that this happened, and Haydee pay. And I say I don't think so. So, little comments between the husband and wife.

Q. Did you hear him on the telephone that first time when someone called him?

A. The first time, no. The second time, yes, I was home.

Q. That's when you noticed it was

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A. GOMEZ

46

a conversation in English?

A. Yes. He's in the room and talking in English, and I went in the living room. At least, I know he's talk with somebody, but I don't know who's on the phone.

Q. Did you ever find out who that person was.

A. No. No.

Q. Did you ever find out if it was the same person that called both times?

A. I don't know. I don't know.

Q. Do you know did your husband ever speak to Haydee about these phone calls that he received?

A. He talking with Haydee normally, and that's it. He told Haydee he not approve something like that. And he say, no, he's my friend. He gave me a lot of favors. He take tickets for me. No, no, no, and that's it. She going out, and that's it.

MS. VOLPER: Can I just stop for second.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A. GOMEZ

47

Q. You testified just a minute ago I believe that Detective Quinoy called your husband; is that correct?

A. Yes.

Q. When was that that he called?

A. The 17th.

Q. Excuse me. Do you know why Detective Quinoy called your husband?

A. He called because he wanted talking about -- I think when Mario talking with Haydee about it, he listened. They going out, you know.

Mario told Haydee he no want a problem not with Quinoy, because I never think I have a problem with Quinoy. My husband tried to put Haydee out of the situation because he say, and I told Haydee, I don't want a problem with Marina because I know her wife's fight with another girl for the reason she's going out with her husband in the Y.M.C.A. in Tarrytown. They fight, okay.

And she have a lot of different problems with women in the town when she

A. GOMEZ

48

1
2 find out somebody going out with Quinoy,
3 Marena come and having a discussion and
4 fight. She fight with two, one or two times
5 she fight.

6 And I told Haydee, I don't want
7 it, and my husband no want it, because he's
8 very bold in the community, things in the
9 school. My two daughters -- my young
10 daughter in the school, and he no want the
11 people talking about my family, never
12 anything about any situation about that.

13 That I know he tried to tell Haydee
14 the reason that he no want any problems. He
15 no want problems, you know, people talking.
16 And she say, no, no, no, daddy. No, no.
17 He's my friend. He's my friend.

18 He have more communication with
19 me. That's what I know that he kissed
20 Haydee, and he try a couple of times because
21 she told me. Oh, no, he tried to go bed
22 with me, but I don't know they going or not
23 going. She told me he tried to go bed with
24 me a couple of times.

25 Q. And by that you're referring to

A. GOMEZ

49

he tried to have sex with her?

A. Yes, that's what she told me.

Q. When did she tell you that?

A. She told me about when everything coming, you know, before the 17th. I have a conversation. She said, oh, he tried to be sex with me, but I no have nothing with him. He's only my friend. Okay, that's what you tell me.

Q. Did you at any point in time tell your husband that Haydee told you --

A. -- oh, no, no.

Q. -- Detective Quinoy tried to kiss her --

A. No. No.

Q. -- or tried to have sex with her?

A. No. No. This is between me and Haydee, and that's it.

Q. As we speak now, do you know whether your husband knows this information?

A. Before all this happened, I told my husband.

Q. Before all what happened?

A. GOMEZ

50

A. Before the 17th, when he come back with the jail I told my husband.

Q. What did you tell your husband?

A. I told him and Haydee told him, because she surprised that he hit her father like he did it, and he made a big problem with Mario. Quinoy made this problem with Mario when nothing happened. That's what Haydee tried to told her daddy, and she told her daddy he tried to be sex with me, and maybe he did it to you this because I never go bed with him.

Q. When did you tell Mario this information; was this before or after he was arrested?

A. When he come back with the jail.

Q. So, after he was arrested, after he was released from jail?

A. Yes.

Q. As far as you know at that time Haydee also told him the same things?

A. Yeah. He told him, and I told him about last month, about two or three